

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

U.S. COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

v.

BANC DE BINARY LTD.,

Defendant.

Case No. 2:13-cv-000992-MMD-VCF


ORDER TO SHOW CAUSE

Before the Court is Plaintiff's Motion for an Order to Show Cause Why Defendant Should Not be Held in Contempt for Violation of Injunction filed on April 9, 2014. (Dkt. no. 48.) Defendant had until April 28, 2014, to respond, but has failed to meet this deadline.

The Court entered the Consent Order for Preliminary Injunction on July 18, 2013 ("Injunction Order"). (Dkt. no. 24.) Plaintiff's Motion alleges that Defendant has violated the Injunction Order in several ways, including repeated solicitations of a U.S. citizen located in the U.S. in violation of Paragraph 12 of the Injunction Order and providing an incomplete list of Defendant's U.S. customers in violation of Paragraph 14 of the Injunction Order. As noted, Defendant has failed to timely respond to Plaintiff's Motion. Failure to file points and authorities in opposition to a motion constitutes consent that the motion be granted. L.R. 7-2(d); see *Abbott v. United Venture Capital, Inc.*, 718 F. Supp. 828, 831 (D. Nev. 1989). Moreover, the Court finds that the Motion is supported by good cause.

1 It is therefore ordered that Plaintiff's Motion is granted. Defendant has fifteen (15)
2 days to show cause why Defendant should not be held in contempt for its violation of
3 the Injunction Order. Plaintiff may file a response pursuant to LR 7-2.

4
5 DATED THIS 1st day of May 2014.

6 
7 _____
8 MIRANDA M. DU
9 UNITED STATES DISTRICT JUDGE
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28